

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

RANDY COOPER,

Plaintiff,

v.

CIVIL ACTION NO. 5:07-cv-00392

WILLIAM LAIRD, Fayette County Sheriff,

Defendant.

JUDGMENT ORDER


By Standing Order entered on August 1, 2006, and filed in this case on June 21, 2007, this action was referred to United States Magistrate Judge Mary E. Stanley for submission of proposed findings and a recommendation (PF&R). Magistrate Judge Stanley filed her PF&R on December 27, 2007 [Docket 21]. In that filing, the magistrate judge recommended that this Court dismiss Plaintiff's Complaint [Docket 1], deny Plaintiff's Application to Proceed Without Prepayment of Fees and Costs [Docket 3], and remove this matter from the Court's docket.

The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). In addition, this Court need not conduct a *de novo* review when a party "makes general and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Plaintiff filed his objections on January 3, 2008. While Plaintiff's objections are timely, they exhibit a complete failure to object to any proposed findings of fact or recommendation of the magistrate judge. Thus,

Plaintiff's objections are **OVERRULED**, and the Court **ADOPTS** the recommendations contained in Magistrate Judge Stanley's PF&R.

Accordingly, the Court hereby **DISMISSES** Plaintiff's Complaint [Docket 1], **DENIES** Plaintiff's Application to Proceed Without Prepayment of Fees and Costs [Docket 3], and **DIRECTS** the Clerk to remove this action from the Court's docket. The Court further **DIRECTS** the Clerk to send a copy of this Judgment Order to all counsel of record, all unrepresented parties, and Magistrate Judge Stanley.

ENTER: January 24, 2008



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE